

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

PETER TAYLOR,

Plaintiff,

v.

Civil Action No.
9:09-CV-0385
(FJS/DEP)

LT. R. HALLADAY and
C.O. R. MILLER,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

Peter Taylor, Pro Se
11967-052
USP Cannon
PO Box 300
Waymart, PA 18472

FOR DEFENDANTS:

HON. RICHARD S. HARTUNIAN
United States Attorney
Northern District of New York
PO Box 7198
100 S. Clinton Street
Syracuse, New York 132261-7198

CHARLES E. ROBERTS, ESQ.
Assistant U.S. Attorney

FREDERICK J. SCULLIN, JR., S.J.:

ORDER

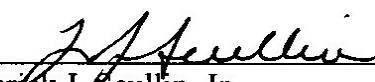
After carefully considering the entire file in this matter, including Magistrate Judge Peebles' July 1, 2010 Report and Recommendation to which the parties have not filed any objections; the Court hereby

ORDERS that Magistrate Judge Peebles' July 1, 2010 Report and Recommendation is **ADOPTED IN ITS ENTIRETY** for the reasons stated therein; and the Court further **ORDERS** that Defendants' motion for summary judgment is **GRANTED**, and the Court further

ORDERS that Plaintiff's complaint is **DISMISSED** in its entirety based upon his failure to exhaust available administrative remedies before commencing suit; and the Court further **ORDERS** that the Clerk of the Court shall enter judgment in favor of Defendants and close this case.

IT IS SO ORDERED.

DATED: July 23, 2010
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge